## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

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IN THE MATTER OF: ROBERT L. SCHILLACI, and R.L.S. Inc. ,his/its partners, officers and directors, agents, employees, affiliates, successors and assigns

**FILE NO. 0400455** 

## **TEMPORARY ORDER OF PROHIBITION**

TO RESPONDENTS: Rober

Robert L. Schillaci

R.L.S., Inc

222 East Pearson Street Chicago, Illinois 60611

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

- 1. That Respondent R.L.S., Inc. (hereinafter "R.L.S" or collectively. with Robert L.Schillaci, "Respondents"), is or was, at all times referred to herein, doing business at 222 East Pearson Street, Chicago, Illinois 60611.
- 2. That Respondent Robert L. Schillaci (hereinafter "Schillaci" or collectively with R.L.S, "Respondents") is or was, at all relevant times referred to herein, doing business at 222 East Pearson Street, Chicago, Illinois 60611.
- 3. That Respondents were/are in the business of providing loan finding services, for compensation, to the general public within and outside the State of Illinois.
- 4. That Respondents, acting within the State of Illinois, agreed to locate and procure loans for at least two clients, and accepted fees totaling at least \$300,000 from these clients.
- 5. That the activities set forth in paragraphs 3 and 4 are those of a "loan broker", as those terms are defined in Section 15-5.15(a) of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.], (the "Act").
- 6. That Section 15-10 of the Act provides, <u>inter alia</u>, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.

- 7. That Respondents Schillaci and R.L.S. were not registered with the Secretary of State as loan brokers as required by the Act prior to engaging in the business of loan brokering in the State of Illinois.
- 8. That by virtue of the foregoing, Respondent Robert L. Schillaci and Respondent R.L.S., Inc. have violated Sections 15-10 of the Act.
- 9. That the aforementioned findings are based on credible evidence.
- 10. That Section 15-55 (d) of the Act provides, *inter alia*, that "if the Secretary of State shall find that any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of this Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in this State".
- 11. That Section 15-55 (e) of the Act provides, inter alia "(A)nything herein contained to the contrary notwithstanding, the Secretary of State may temporarily prohibit or suspend, for a maximum period of 90 days, by an order effective immediately, any individual or entity acting as a loan broker or engaging in the business of providing loan brokerage services, without notice and prior hearing, if the Secretary of State shall in his or her opinion, based upon credible evidence, deems it necessary to prevent an imminent violation of this Act or to prevent losses to clients which the Secretary of State reasonably believes will occur as a result of a prior violation of this Act..."
- 12. That the entry of this Temporary Order **PROHIBITING** Respondents, or their agents, affiliates, successors and employees, from acting as loan brokers in the State of Illinois is in the public interest, and the Secretary of State deems it necessary.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55 of the Act, R.L.S., Inc., its officers and directors, agents, employees, affiliates, successors and assigns; and Robert L. Schillaci, are **PROHIBITED** from engaging in loan brokering in or from this State until the further Order of the Secretary of State.

NOTICE is hereby given that Respondents may request a hearing on this matter by transmitting such request in writing to the Director, Illinois Securities Department 69 West Washington Street, Suite 1220, Chicago, Illinois 60602. Such request must be made within thirty (30) calendar days of the date of entry of the Temporary Order of Prohibition. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable. A request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for sixty days from the date the hearing request is received by the Department.

## Temporary Order of Prohibition

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FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION FINAL.

Dated: This 3/5 day of October 2005.

JESSE WHITE Secretary of State

State of Illinois

Attorney for the Secretary of State:

James J. Tierney Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602 312-793-9650